

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of     :     Richard Joseph Bennett, *et al.*  
Application No.         :     09/784,889  
Filing Date             :     February 16, 2001  
Art Unit                 :     3626  
Title                    :     Method and System for Ordering a Laboratory Test for a  
                              Patient and Obtaining Results Thereof  
  
Attorney                 :     606597-000027  
Docket No.             :

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**APPEAL BRIEF**

## TABLE OF CONTENTS

	<u>Page</u>
I.Real Party in Interest .....	1
II.Related Appeals and Interferences .....	1
III.Status of Claims .....	1
IV.Status of Amendments .....	1
V.Summary of Claimed Subject Matter.....	1
VI.Grounds of Rejection to Be Reviewed On Appeal .....	3
VII.Argument.....	4
A. Schurenberg Fails to Disclose All Limitations of Any Appealed Claim.....	4
1. Claims 26, 33–34, 49–50, 51–55, 60, and 63 .....	4
2. Claims 27, 30–31, and 61–62 .....	9
3. Claim 28.....	10
4. Claim 29.....	11
5. Claim 32.....	12
VIII.Conclusion .....	13
Claims Appendix .....	14
Evidence Appendix Index.....	20
Related Proceedings Appendix .....	21

## **I. REAL PARTY IN INTEREST**

The real party in interest is Quest Diagnostics Incorporated, a corporation organized and existing under the laws of Delaware, with a place of business at 1290 Wall Street West, Lyndhurst, New Jersey 07071, by virtue of an assignment recorded on August 2, 2001, at reel/frame 012038/0914.

## **II. RELATED APPEALS AND INTERFERENCES**

There are no related appeals or interferences.

## **III. STATUS OF CLAIMS**

Claims 26–34, 49–55, and 60–63 are pending and have been rejected. Claims 1–25, 35–48, 56–59, and 64–65 have been cancelled. The applicant now appeals the rejection of claims 26–34, 49–55, and 60–63.

## **IV. STATUS OF AMENDMENTS**

The applicant filed an amendment, dated September 1, 2006, after final rejection. In the Advisory Action mailed on September 27, 2006 (the “Advisory Action”), the Examiner entered that amendment.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 26 describes a method, in a computer network that includes a client computer and a central computer, of receiving an order for a laboratory test of a biological specimen. (*See, e.g.*, p. 6, lines 25–28.) The method includes receiving, at the central computer, at least one query (*e.g.*, an HTTP request) that has been transmitted from the client computer to the central computer. (*See* p. 7, lines 22–24.) The query includes a request for a laboratory test and patient, billing, and diagnosis information corresponding to the requested laboratory test.

(*See* p. 9, line 12–p. 10, line 4.) The method also includes transmitting information from the central computer to the client computer, through the network, wherein the information includes data for generating a test requisition and a label for use with the biological specimen. (*See, e.g.*, p. 26, lines 2–6.)

Independent claim 49 describes an apparatus for receiving an order of a laboratory test of a biological specimen for a patient. (*See* p. 6, lines 25–28; p. 31, Table 5.) The apparatus includes at least one client computer and a central computer coupled with the client computer to exchange data with it. (*See* p. 6, lines 22–24.) The apparatus also includes means for receiving, at the central computer, at least one query, which includes a request for a laboratory test and patient, billing, and diagnosis information corresponding to the requested laboratory test, that has been transmitted from the client computer. (*See id.*; p. 9, line 12–p. 10, line 4.) Further, the apparatus includes means for transmitting information from the central computer to the client computer, wherein the information includes data for generating a test requisition and a label for use with the biological specimen. (*See* p. 6, lines 22–24.)

Independent claim 51 describes an apparatus for ordering a laboratory test of a biological specimen for a patient. (*See* p. 6, lines 25–28; p. 31, Table 5.) The apparatus includes at least one client computer and a central computer coupled with the client computer to exchange data with it. (*See* p. 6, lines 22–24.) The apparatus also includes means for transmitting from the client computer at least one query, which includes a request for a laboratory test and patient, billing, and diagnosis information corresponding to the requested laboratory test, that has been transmitted from the client computer. (*See id.*; p. 9, line 12–p. 10, line 4.) Further, the apparatus includes means at the client computer for receiving information from the central computer, wherein the information includes data for generating a test requisition and a label for use with the biological specimen. (*See* p. 6, lines 22–24.)

Independent claim 60 describes a computer-readable medium that includes computer program instructions that cause a central computer, in a network that also contains at least one client computer, to perform a method of receiving an order of a laboratory test of a biological specimen for a patient. (*See* p. 6, lines 22–28; p. 31, Table 5.) The method includes receiving, at the central computer, at least one query (*e.g.*, an HTTP request) that has been transmitted from

the client computer to the central computer. (*See* p. 7, lines 22–24.) The query includes a request for a laboratory test and patient, billing, and diagnosis information corresponding to the requested laboratory test. (*See* p. 9, line 12–p. 10, line 4.) The method also includes transmitting information from the central computer to the client computer, through the network, wherein the information includes data for generating a test requisition and a label for use with the biological specimen. (*See, e.g.*, p. 26, lines 2–6.)

Independent claim 63 describes a computer-readable medium that includes computer program instructions that cause a client computer, in a network that also contains a central computer, to perform a method of ordering a laboratory test of a biological specimen for a patient. (*See* p. 6, lines 22–28; p. 31, Table 5.) The method includes transmitting at least one query (*e.g.*, an HTTP request) to the central computer. (*See* p. 7, lines 22–24.) The query includes a request for a laboratory test and patient, billing, and diagnosis information corresponding to the requested laboratory test. (*See* p. 9, line 12–p. 10, line 4.) The method also includes receiving information at the client computer, sent from the central computer through the network, wherein the information includes data for generating a test requisition and a label for use with the biological specimen. (*See, e.g.*, p. 26, lines 2–6.)

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

In the final Office Action of March 3, 2006 (the “Final Office Action”), the Examiner rejected then-pending claims 1–65 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication no. US 2001/0051880 A1 by Schurenberg *et al.* In the final Office Action, the Examiner incorporated and reaffirmed the grounds for rejection in the non-final Office Action of February 10, 2005. Accordingly, the question on appeal is:

Did the Examiner err in rejecting claims 26–34, 49–55, and 60–63 under 35 U.S.C. § 102(e) as anticipated by Schurenberg?

## VII. ARGUMENT

### A. Schurenberg Fails to Disclose All Limitations of Any Appealed Claim

#### 1. Claims 26, 33–34, 49–50, 51–55, 60, and 63

The Examiner rejected all pending claims under 35 U.S.C. § 102(e) as anticipated by Schurenberg. The MPEP describes the rigorous standard that an anticipation rejection must meet: “‘A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.’” MPEP § 2131 (8th ed. [R-5] 2006)(quoting *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987)). Applying this test requires the Board to reverse the Examiner’s decision, because Schurenberg fails to disclose at least one element of every pending claim.

Claim 26 reads:

In a computer network including a client computer and a central computer, a method of receiving an order of a laboratory test of a biological specimen for a patient comprising the steps of:

receiving, at the central computer, at least one query transmitted through the network from the client computer, the at least one query including a laboratory test request and patient, billing, and diagnosis information corresponding to the requested laboratory test; and

transmitting information through the network from the central computer to the client computer, the information including data for generating a test requisition and a label for use with the biological specimen.

Schurenberg fails to disclose or suggest, among other things, transmitting information through the network from the central computer to the client computer, the information including data for generating a test requisition and a label for use with the biological specimen. Specifically, as will be shown below, Schurenberg fails to disclose or suggest each of:

- the existence of a central computer within the meaning of claim 26;

- transmitting information, including data for generating a test requisition, to the client computer; and
  - transmitting information, including data for generating a label for use with the biological specimen, to the client computer.
- a) The Distributed Computer System in Schurenberg Is Not the Central Computer System of Claim 26.

Law and established procedure constrain the U.S. Patent and Trademark Office's interpretation of claims during examination. Although the claims are given their "broadest reasonable interpretation," this interpretation must also be consistent with the specification. *See* MPEP § 2111 (8th ed. [R-5] 2006) (citing *Phillips v. AWH Corp.*, 415 F.3d 1303, 75 U.S.P.Q.2d 1321 (Fed. Cir. 2005)). Moreover, this "broadest reasonable interpretation" is not one that involves stretching the words to give them the maximum possible breadth; the words must be given their plain meaning, except when that plain meaning is inconsistent with the specification. *See* MPEP § 2111.01(I) (8th ed. [R-5] 2006) (citing *In re Amer. Acad. of Science Tech Center*, 367 F.3d 1359, 1369, 70 U.S.P.Q.2d 1827, 1834 (Fed. Cir. 2004)). And the "plain meaning" of a claim term "'is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, *i.e.*, as of the effective filing date of the patent application.'" MPEP § 2111.01(III) (8th ed. [R-5] 2006) (quoting *Phillips*, 415 F.3d at 1313, 75 U.S.P.Q.2d at 1326).

The Examiner contravened these principles in construing the distributed computer system discussed in Schurenberg to be the "central computer" in claim 26. The Examiner's sole statement on the matter is on page 2 of the Advisory Action, where the Examiner writes: "[T]he Examiner respectfully submits that Schurenberg discloses the middleware server (para. [0053] - [0054]; the Examiner interprets "middleware server" to be a form of "central computer")." Nothing in the records explains or supports this interpretation.

One respected reference defines middleware as "software which sits between layers of software to make the layers below and on the side work with each other." HARRY NEWTON, NEWTON'S TELECOM DICTIONARY 591 (22nd ed. 2006). Similarly, Wikipedia says of

middleware: “Middleware is computer software that connects software components or applications. It is used most often to support complex, distributed applications.” *Middleware*, WIKIPEDIA (April 11, 2007), at <http://en.wikipedia.org/wiki/Middleware>. Nothing in either definition suggests that a server hosting middleware is a “central computer” within the meaning of claim 26.

Schurenberg instead makes clear that the “middleware server” is in fact a component of a distributed application and is silent regarding the centrality, or lack thereof, of the system or systems on which this distributed application runs. For example, in Fig. 2, Schurenberg depicts a “Health Data Network” (“HDN”), such as may use the laboratory application that the reference discusses. That figure depicts various computer systems connected to a HDN in a star topology that has *no* computer or system at its center. (*See* Schurenberg at Fig. 2.)

Fig. 3, alternatively, depicts a system that uses a Client Object Server as a middleware server. (*See id.* at ¶ 40.) According to Schurenberg, the function of the middleware server is “to facilitate the integration of healthcare information.” (*Id.*) And further: “[T]he FIG. 3 framework enables client application logic to be written independently of the data tier(s), and enable(s) data tier(s) to change without requiring client applications to be rewritten.” (*Id.* at ¶ 43.) Schurenberg’s discussion of a middleware server manifestly concerns the architecture of a distributed computer application while saying nothing about whether that application runs on or otherwise includes a central computer within the meaning of claim 26.

It is respectfully submitted that no one skilled in the art would equate “middleware” with a central computer and that the Examiner has failed to produce any evidence to the contrary.

b) Schurenberg Fails to Disclose or Suggest Transmitting Information to the Client Computer Including Data for Generating a Test Requisition

Claim 26 includes “transmitting information . . . to the client computer, the information including data for generating a test requisition . . . .” Schurenberg discusses the transmission of requisition-related information to the client only *after* a test requisition has been generated. Whatever the purpose of the transmission of information in Schurenberg, therefore, the information cannot include data for generating a test requisition, as claim 26 requires.



Schurenberg makes this ordering clear in the flow chart in Fig. 5. At step 200, the system receives a user request to initiate a requisition, followed by the receipt of user input specifying the requisition information at step 202 and the transmission of requisition information from the client at step 204. (*See* Schurenberg at Fig. 5.) The input data may be validated, according to Schurenberg, but any such validation takes place at the client, before any requisition is transmitted or received. (*See id.* at ¶¶ 22, 99.)

Nor does Schurenberg's discussion of a Global Master Patient Index ("GMPI") anticipate this limitation. The GMPI serves to interlink patient records, at different sites, that relate to the same patient. (*See id.* at ¶¶ 413–14.) A system administrator may create, review, and maintain links between records. (*See id.* at ¶¶ 426–450.) But no part of this discussion discloses or suggests receiving information including data for generating a test requisition from a central computer.

The client receives no information related to a test requisition from a middleware server until after generation of the requisition, when, in the final step, it receives the lab results from the middleware server in step 216. (*See id.*) The accompanying text describes the steps in this order, similarly failing to disclose or suggest transmitting information to the client until long after the test requisition has been generated. (*See id.* at ¶¶ 52-58.)

In connection with this limitation, the Examiner cites Schurenberg, variously, at paragraphs 4 (lines 12–16), 55, and 58 and Fig. 4. (*See* Office Action mailed on February 10, 2005 (the "2/10/05 Office Action") at 12; final Office Action at 4; Advisory Action at 2.) As shown above, paragraphs 52–58 of Schurenberg refute the Examiner's position, as they make clear that transmission of information to the client cannot be for generating a test requisition.

The cited portion of paragraph 4 reads as follows:

The integrity of the results returned to the caregiver is based on the ability of the caregiver and the performing lab to properly submit accurate test requisitions, track specimens, and synchronize reported results with submitted requisitions.

(Schurenberg at ¶ 4.) It is respectfully submitted that nothing in this cited portion discloses or suggests any limitation of claim 26.

Finally, Fig. 4 of Schurenberg depicts, according to Schurenberg, a system that employs a middleware server to facilitate the integration of healthcare information and illustrates the electronic routing of laboratory orders and results and the electronic verification of patient insurance eligibility. (*See id.* at ¶¶ 26–27.) Nothing in Fig. 4 discloses or suggests transmission of information that includes data suitable for generating a test requisition, or that any such transmission takes place before a test requisition has been generated.

c) Schurenberg Fails to Disclose or Suggest Transmitting Information to the Client Computer Including Data for Generating a Label for Use With a Biological Specimen

Claim 26 includes “transmitting information . . . to the client computer, the information including data for generating . . . a label for use with the biological specimen.” The Examiner asserts that Schurenberg discloses this limitation in exactly the same way as it does the above-discussed limitation involving data for generating a test requisition. (*See* Office Action mailed on February 10, 2005 (the “2/10/05 Office Action”) at 12; final Office Action at 4; Advisory Action at 2.) At the very least, this assertion has the same flaws revealed above.

But Schurenberg in fact rebuts this assertion more strongly with the following statement: “At the time the requisition information is entered in step 202, the system preferably prints labels to facilitate the proper handling and delivery of the specimens.” (Schurenberg at ¶ 55.) Referring to Fig. 5, it is clear that labels are printed at the beginning of the process, before any information related to the requisition has been sent by the client and *a fortiori* before any information including data for generating a label for use with a biological specimen could have been transmitted to the client from a central computer.

For these reasons, the applicant respectfully submits that claim 26 is allowable over the cited prior art. Independent claims 49, 51, 60, and 63 each contain limitations similar to those discussed above in connection with claim 26, and it is further submitted that these claims are allowable for the same reasons as claim 26. Further, dependent claims 33–34, 50, and 52–55, and 63 each depend upon one of claims 26, 49, 51, respectively, and applicants submit that these claims are also allowable based on their inclusion of allowable subject matter.

2. *Claims 27, 30–31, and 61–62*

Claim 27 reads:

The method of claim 26, further comprising the step of analyzing the at least one query at the central computer to verify that the requested laboratory test is payable by a responsible party identified in the billing information.

Claim 27 depends upon claim 26, which has been shown above to be allowable. Claim 27 is therefore allowable based on its inclusion of allowable subject matter.

Additionally, however, claim 27 is allowable because Schurenberg fails to disclose or suggest “analyzing the at least one query . . . to verify that the requested laboratory test is payable by a responsible party identified in the billing information,” as claim 27 sets forth.

As discussed above, middleware is not a central computer, and middleware does not analyze billing information in a client computer query to verify that a lab test is payable by a responsible party identified in the billing information.

Additionally, in the 2/10/05 Office Action, which was the only Office Action to address this claim specifically, the Examiner cited paragraphs 404 and 623 of Schurenberg. (2/10/05 Office Action at 12.) But neither cited paragraph discusses verification, which is part of the limitation. To the contrary, paragraph 404 discusses only a “Guarantors page” in a “Patient Details window,” adding that the page may be used to edit or enter guarantor information for the patient. (Schurenberg at ¶ 404.) And paragraph 623 similarly discusses only a “Billing page” of a “Payer Details window.” Neither paragraph has anything to say about verifying that the requested laboratory test is payable by a responsible party identified in the billing information.

Indeed, neither paragraph discloses or suggests verifying even that a responsible party has been identified at all in the billing information. Schurenberg discusses nothing more than computer screens at which a user may enter certain information. (See *id.* at ¶¶ 404, 623.) This is far short of disclosing or suggesting “analyzing the at least one query at the central computer to verify that the requested laboratory test is payable by a responsible party identified in the billing information,” as claim 27 requires.

Similarly, paragraphs 99–105, which discuss validation, and paragraphs 115–122, which discuss the billing page of a requisition, do not disclose the step claimed in claim 27.

For these reasons, the applicant respectfully submits that claim 27 is allowable over the cited prior art. The applicant further submits that claims 30 and 31, which depend upon claim 27, are allowable based on their inclusion of allowed subject matter.

Claim 61 sets forth:

The computer-readable medium of claim 60, wherein the computer program instructions further cause the central computer to perform the step of analyzing the at least one query to verify that the requested laboratory test is payable by a responsible party identified in the billing information.

The applicant respectfully submits that this claim is allowable over the cited prior art for the same reasons that claim 27 is allowable. Further, claim 62 depends upon claim 61 and is therefore allowable based on its inclusion of allowable subject matter.

3. *Claim 28*

Claim 28 sets forth:

28. The method of claim 27, wherein said receiving step comprises receiving a diagnosis code and a laboratory test code as a part of the at least one query and said analyzing step comprises searching a code database for correspondence between the diagnosis code and the laboratory test code.

Claim 28 depends upon claim 27, which has been shown above to be allowable. Claim 28 is therefore allowable based on its inclusion of allowable subject matter. Additionally, however, claim 28 is allowable because Schurenberg fails to disclose or suggest analyzing that comprises searching a code database for correspondence between the diagnosis code and the laboratory test code, as claim 28 sets forth.

In the 2/10/05 Office Action, which was the only Office Action to address this claim specifically, the Examiner cited paragraphs 20, 204, and 206 of Schurenberg. (2/10/05 Office Action at 12.) These paragraphs discuss user interface features that allow a user to enter test codes, and, independently, to enter diagnostic codes. But neither these paragraphs nor any other

part of Schurenberg discloses or suggests searching a code database for correspondence between the two, as claim 28 specifies.

For this reason, the applicant respectfully submits that claim 28 is allowable over the cited prior art.

4. *Claim 29*

Claim 29 sets forth:

29. The method of claim 27, wherein said analyzing step comprises comparing an identified diagnosis and the requested laboratory test to a maximum value to determine whether a maximum number of tests has been exceeded for the identified diagnosis.

Claim 29 depends upon claim 27, which has been shown above to be allowable. Claim 29 is therefore allowable based on its inclusion of allowable subject matter. Additionally, however, claim 29 is allowable because Schurenberg fails to disclose or suggest comparing an identified diagnosis and the requested laboratory test to a maximum value to determine whether a maximum number of tests has been exceeded for the identified diagnosis, as claim 29 sets forth.

In the 2/10/05 Office Action, which was the only Office Action to address this claim specifically, the Examiner cited the table at the bottom of page 25 of Schurenberg. (2/10/05 Office Action at 13.) This table describes a field named “Max diagnoses per test” and another “Max tests per requisition.” (See Schurenberg at 25.) No field, however, specifies the maximum numbers of tests corresponding to any diagnosis or diagnoses, as claim 29 requires.

Moreover, Schurenberg says that this table describes only certain configuration parameters, corresponding to a particular laboratory, that an administrator can set or modify. (See *id.* at ¶¶ 596-98.) Schurenberg neither discloses nor suggests analysis of any of these parameters to verify that at the tests are payable by at least one responsible party, as claim 29 requires.

For these reasons, the applicant respectfully submits that claim 29 is allowable over the cited prior art.

5. *Claim 32*

Claim 32 sets forth:

32. The method of claim 27, further comprising the step of transmitting a request for additional diagnosis information through the network from the central computer to the client computer if the requested laboratory test is not payable by the identified responsible party for an identified diagnosis.

Claim 32 depends upon claim 27, which has been shown above to be allowable. Claim 32 is therefore allowable based on its inclusion of allowable subject matter. Additionally, however, claim 32 is allowable because Schurenberg fails to disclose or suggest “transmitting a request for additional diagnosis information . . . to the client computer if the requested laboratory test is not payable by the identified responsible party for an identified diagnosis,” as claim 32 sets forth.

In the 2/10/05 Office Action, which was the only Office Action to address this claim specifically, the Examiner cited paragraph 173 of Schurenberg. (2/10/05 Office Action at 13.) The Examiner interpreted the part of that paragraph that says, “the system prompts the user to answer questions,” to be a form of a request for additional diagnosis information as set forth in claim 32. (*Id.*) But this interpretation is manifestly unreasonable.

Paragraph 173 of Schurenberg, in its entirety, reads as follows:

The ABN Form menu option enables the user to access an Advanced Beneficiary Notice (ABN) Form. And Advanced Beneficiary Notice is a printed statement that contains a list of tests not covered by the payer. By signing an ABN form, the patient or the insured accepts financial responsibility for those tests that are not covered by the payer. For example, Medicare has limited coverage. An ABN form is generated when the user enters information on the Requisition Test Codes page. If the test code the user enters is for a limited coverage test and the diagnosis code is not approved to cover that test, the system prompts the user to answer questions pertaining to the ABN and have the patient sign the statement that is printed at the bottom of the requisition.

Contrary to the Examiner’s position, nothing in this paragraph suggests that the “questions pertaining to the ABN” have anything to do with diagnosis information. Rather, the ABN form allows the patient or the insured to accept financial responsibility for tests that a third-party payer will refuse to pay for and that the signer understands the nature of that responsibility. (*See id.*)

Thus, the ABN Form depicted in Fig. 18 of Schurenberg allows the user to enter a comment that will appear on the printed form, to identify the payer and the lab, and to choose to print a header page. This form lacks both a means to enter diagnosis information and a prompt or other suggestion to enter such information.

For this reason, the applicant respectfully submits that claim 32 is allowable over the cited prior art.

## VIII. CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance, and the Board is respectfully requested to overturn the Examiner's rejection of these claims.

Date: April 11, 2007

Respectfully submitted,

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## **CLAIMS APPENDIX**

This appeal relates to the following claims:

26. In a computer network including a client computer and a central computer, a method of receiving an order of a laboratory test of a biological specimen for a patient comprising the steps of:

receiving, at the central computer, at least one query transmitted through the network from the client computer, the at least one query including a laboratory test request and patient, billing, and diagnosis information corresponding to the requested laboratory test; and  
transmitting information through the network from the central computer to the client computer, the information including data for generating a test requisition and a label for use with the biological specimen.

27. The method of claim 26, further comprising the step of analyzing the at least one query at the central computer to verify that the requested laboratory test is payable by a responsible party identified in the billing information.

28. The method of claim 27, wherein said receiving step comprises receiving a diagnosis code and a laboratory test code as a part of the at least one query and said analyzing step comprises searching a code database for correspondence between the diagnosis code and the laboratory test code.



29. The method of claim 27, wherein said analyzing step comprises comparing an identified diagnosis and the requested laboratory test to a maximum value to determine whether a maximum number of tests has been exceeded for the identified diagnosis.

30. The method of claim 27, further comprising the step of transmitting a notification through the network from the central computer to the client computer if the requested laboratory test is not payable by the identified responsible party for an identified diagnosis.

31. The method of claim 30, further comprising the step of requesting an indication that the patient is responsible for payment in response to the notification.

32. The method of claim 27, further comprising the step of transmitting a request for additional diagnosis information through the network from the central computer to the client computer if the requested laboratory test is not payable by the identified responsible party for an identified diagnosis.

33. The method of claim 26, further comprising the step of transmitting a request through the network from the central computer to the client computer for additional information if ask-at-order-entry questions are required for the requested laboratory test.

34. The method of claim 26, said receiving step comprising:  
receiving a patient identification at the central computer in the at least one query from the client computer, thereby obtaining information about the patient for whom the test is being ordered;

receiving billing information at the central computer in the at least one query from the client computer, thereby obtaining information about a party responsible for payment of the test being ordered for the identified patient; and  
receiving a patient diagnosis at the central computer in the at least one query from the client computer, thereby obtaining at least one diagnosis for the identified patient.

49. Apparatus for receiving an order of a laboratory test of a biological specimen for a patient comprising:

at least one client computer;  
a central computer coupled to exchange data with the at least one client computer;  
means for receiving, at the central computer, at least one query transmitted from the client computer, the at least one query including a laboratory test request and patient, billing, and diagnosis information corresponding to the requested laboratory test; and  
means for transmitting information from the central computer to the client computer, the information including data for generating a test requisition and a label for use with the biological specimen.

50. The apparatus of claim 49, wherein said receiving means comprises:

means for receiving a patient identification at the central computer in the at least one query from the client computer, thereby obtaining information about the patient for whom the test is being ordered;  
means for receiving billing information at the central computer in the at least one query from the client computer, thereby obtaining information about a party responsible for payment of the test being ordered for the identified patient; and

means for receiving a patient diagnosis at the central computer in the at least one query from the client computer, thereby obtaining at least one diagnosis for the identified patient.

51. Apparatus for ordering a laboratory test of a biological specimen for a patient comprising:

at least one client computer;  
a central computer coupled to exchange data with the at least one client computer;  
means for transmitting at least one query from the client computer to the central computer, the at least one query including a laboratory test request and patient, billing, and diagnosis information corresponding to the requested laboratory test; and  
means, at the at least one client computer for receiving information from the central computer, the received information including data for generating a test requisition and a label for use with the biological specimen.

52. The apparatus of claim 51, wherein said means for transmitting comprises means for selecting a laboratory test code corresponding to the requested laboratory test from a menu of laboratory test codes.

53. The apparatus of claim 52, further comprising means for customizing the menu of laboratory test codes to include laboratory test codes commonly used by a client.

54. The apparatus of claim 51, wherein said means for transmitting comprises means for selecting a diagnosis code corresponding to an identified diagnosis from a menu of diagnosis codes.

55. The apparatus of claim 54, further comprising means for customizing the menu of diagnosis codes to include diagnosis codes commonly used by a client.

60. A computer readable medium including computer program instructions that cause a central computer, in a computer network including at least one client computer and the central computer, to perform a method of receiving an order of a laboratory test of a biological specimen for a patient, the method comprising the steps of:

receiving at least one query transmitted through the network from the client computer, the at least one query including a laboratory test request and patient, billing, and diagnosis information corresponding to the requested laboratory test; and  
transmitting information through the network to the at least one client computer, the information including data for generating a test requisition and a label for use with the biological specimen.

61. The computer readable medium of claim 60, wherein the computer program instructions further cause the central computer to perform the step of analyzing the at least one query to verify that the requested laboratory test is payable by a responsible party identified in the billing information.

62. The computer readable medium of claim 61, wherein the computer program instructions further cause the central computer to perform the step of transmitting a request for additional diagnosis information through the network to the client computer if the requested laboratory test is not payable by the identified responsible party for an identified diagnosis.

63. A computer readable medium including computer program instructions that cause a client computer in a computer network including the client computer and a central computer, to

perform a method of ordering a laboratory test of a biological specimen for a patient, the method comprising the steps of:

transmitting at least one query through the network to the central computer, the at least one query including a laboratory test request and patient, billing, and diagnosis information corresponding to the requested laboratory test; and  
receiving information through the network from the central computer, the received information including data for generating a test requisition and a label for use with the biological specimen.

## **EVIDENCE APPENDIX INDEX**

None.

## **RELATED PROCEEDINGS APPENDIX**

None.